

SELECT BOARD
MINUTES
MAY 18, 2015

Pursuant to notice duly filed with the Town Clerk, a meeting of the Select Board was held at 7PM in the Select Board Room.

Present were Alice Kaufman, Chair; Michael E. Lawson, Clerk; Jane Hotchkiss, Steven Ng and Carmin C. Reiss. Also present was Christopher Whelan, Town Manager.

Upon a Motion duly made and seconded, the Board

VOTED: in a roll call to go into Executive Session to consider matters of contract negotiation that would be compromised if the discussion were held in open session and to return to Open Session at 7PM.

Ms. Hotchkiss	Aye
Mr. Lawson	Aye
Ms. Kaufman	Aye
Mr. Ng	Aye
Ms. Reiss	Aye

Call to Order

Consent Agenda

At 7 PM Ms. Kaufman called the meeting to order and announced that it is being recorded.

CONSENT AGENDA

- Town Accountant's Warrants
- Gift Acceptance: Concord Academy \$93,489 to the Main St. Sidewalk Improvements gift account
- One Day Special License: All Alcoholic Beverages License for Concord Museum Annual Golf tournament on June 15 at Concord Country Club from noon – 8PM
- Sunday Entertainment: Friends of the Performing Arts Donizetti Opera on June 7
- Tour Guide Relicensing
- Public Works Week Proclamation

Consent Agenda

Upon a motion duly made and seconded, the Board UNANIMOUSLY

VOTED: to approve the Consent Agenda as Read.

TOWN MANAGER'S REPORT

1. Fire Chief Mark Coteau reports that Concord Fire has assisted in the response to a large fire at Devens. Relief crews worked through the night and during the day today.
2. MADOT has announced a changed traffic pattern at the construction of safety improvements at Route 2 and Crosby Corner. Eastbound traffic will be going under the new bridge. Everyone is urged to use extra caution.
3. Town staff from Planning, Fire, Police, Light, and Public Works met with the developer of the new Marriott Hotel at Baker Ave. to review timing, safety precautions, and the conditions of the Special Permit. The site work is proposed to begin the week of May 11 and is expected to last 3 weeks at which time the construction of the hotel will begin.
4. After a public hearing, the Public Works Commission has set new water and sewer rates to increase by 3%. This will help pay for the water and sewer capital improvement program and will result in an increase of \$1.55/month.
5. The Friends of the Library will hold its annual used book sale on the front lawn of the Library on June 6 from 10 AM – 3 PM.
6. The Town will resume negotiations with CCTV tomorrow regarding PEG access.

Town Manager's Report

BOND AND NOTE SALE AWARD

Finance Director Anthony Logalbo was present to seek approval of a bond issuance of \$8,185,000 with maturities of up to ten years. The sale has 3 components: 1) \$3,625,000 of proceeds to finance routine projects approved by 2013 and 2014 Town Meeting votes. 2) \$3,500,000 of proceeds to refund earlier bond issuances for Alcott School construction issued in 2004 to take advantage of improved interest rates. 3) \$4,440,000 in proceeds to refund earlier bond issuances for Thoreau School issued in 2006 to take advantage of improved interest rates.

Bond Sale

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Mr. Logalbo stated that there were seven bidders; of whom Sterne Agee & Leach Inc. is the recommended awardee at 1.404% true interest cost and a premium of \$509,765.36. The Town is calling \$7,940,000 of prior 4% coupon bonds and replacing them with \$4,560,000 of 3% coupon bonds at a lower true interest cost. The result on the budgetary side is that for the next 10 years debt service will be about \$120,000 per year less than it was before this issuance. All of the savings will go to the taxpayer in a lower tax levy due to lower debt service.

Mr. Logalbo stated that the record of the vote includes a lengthier paper trail to attest that everything done regarding the issuance is correct and lawful, is consistent with Town Meeting votes, and that everything done in the future will continue to be correct and lawful. A "Subsequent Events" certificate lists fourteen events that, should they occur, would require the Town to self-report to a national electronic bulletin board. Each issuance requires a credit rating review. Moody's Credit Report has reaffirmed the Town's Aaa rating for the 28th year.

Upon a motion duly made and seconded the Board UNANIMOUSLY

VOTED: to approve and confirm the sale of bonds as stated in the document "Vote of the Select Board."

CONCORD MINUTE MEN UPDATE

Michael Rudd, James McGrath, and Bob Rice of the Concord Minute Men were present to update the Board on recent activities. Mr. Rudd stated that the historic Concord Minute Men were chartered by the Town in 1775 as one of four militia companies of which two were "minute" companies that drilled monthly and were to be ready to respond at a moment's notice. The modern Minute Men were re-chartered by the Town in 1962 in preparation for the Bicentennial celebrations. At its peak, there were 375 members. Recently that number was fewer than a dozen, but after some advertising on social media, that number is now 20. Liability insurance and equipping such a small group is costly. A drum costs as much as \$1,000 and uniforms \$500. Annual dues are \$50.

Mr. Rudd stated that the purpose of the Minute Men is both ceremonial and educational. The group has participated in national and international events as well as local historical celebrations and ceremonies for which no fee was sought or received. For many years Minute Men gave demonstrations of 18th Century living and made presentations to local schools. Plans call for restoring the strength in numbers in order to increase the group's presence in the reenacting and 18th Century demonstration communities. Revitalization plans call for welcoming families and children as members and strengthening the relationship with the 4-H Fife and Drum Corps. The Concord Chamber of Commerce has allowed the Minute Men to become a member to increase its visibility to the business community. The Minutemen would also like to partner with Concord Light to send out membership information with bills.

Discussion included: Town insurance could not cover this independent chartered organization; while stipends were received in the 1700's, there is no modern equivalent in fees charged for performances; colonial music is an important component of the Minute Men; the larger equipment is owned by the company and the uniforms, muskets and fifes by the individual members; the town of Bedford raises funds for its minute company; the Minute Men were encouraged to have a presence at Picnic in the Park and the Agricultural Fair and to learn from the Concord Independent Battery regarding outreach to the community.

TRANSFER DEEDED CONSERVATION RESTRICTION FROM BENTLEY BUILDERS CORP

Natural Resources Director Delia Kaye and Mark White owner of Bentley Builders were present to seek approval for the transfer of conservation land to the Natural Resources Commission as part of the conditions of a housing development on Strawberry Hill Rd. The 20-unit PRD on 19.3 acres includes the provision to protect 11.6 acres from further development by preserving wet

Minutemen

CR Bentley

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lands and protecting the upland on the ridge. Recent Town Meeting votes require that such set-asides must be buildable. Ms. Kaye stated that 50% of the 11.6 acres are wetlands. The parcel has frontage on Strawberry Hill Rd., but no connection to other protected parcels. There is no onsite parking, but there are trails in the area.

Upon a Motion duly made and seconded, the Board UNANIMOUSLY

VOTED: to approve the acceptance by the Natural Resources Commission of Open Space Parcels A and B, totaling 11.6 acres, as conservation land, in perpetuity, as shown on a plan titled "Definitive Subdivision Plan, Finigan Way, a Planned Residential Development, Concord, Massachusetts, prepared by Stamski and McNary and last revised March 7, 2008, and recorded in the Middlesex Registry of Deeds as Plan No. 214 of 2008. Said conservation land was granted by Bentley Builders Corporation on March 25, 2015 and was accepted by the Natural Resources Commission, pursuant to Massachusetts General Laws, Section 8C of Chapter 40.

RELEASE RESIDENTIAL RESTRICTION LOT 6B AND 6F FOREST RIDGE ROAD

Mr. Whelan stated the Town owns land for the Municipal Light Plant substation on Forest Ridge Rd. and therefore has an interest in a residential development restriction imposed in the 1970's to limit development because of the proximity to Nuclear Metals. He stated that 2015 Town Meeting approved the release of the residential restriction on land on Forest Ridge Road so that a developer could create 25 units of over-55 housing on fifteen acres. The Select Board is being asked to carry out the vote of Town Meeting.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

VOTED: to approve the release from the Residential Restriction of Lot 6F containing 14.99 acres and Parcel 6B containing 0.58 acres on Forest Ridge Road as voted by Article 20 of 2015 Annual Town Meeting so that hereafter Lot 6F and Parcel 6B may be used for residential purposes as a primary use.

2005 LONG RANGE PLAN UPDATE

Marcia Rasmussen, Director of Planning and Land Management was present to update the Board on the Town's progress on implementing the 2005 Long Range Plan. State law requires such planning at regular intervals. There were 354 recommendations regarding land use, housing, economic development, recreation, transportation, fiscal, cultural, and historic resources, and governance made in that report. 64 are fully implemented, 164 are ongoing, and 126 will not be implemented due to changed circumstances. The 2005 plan focused on a top down review of land use issues. In the meantime, much about planning has changed to focus on integrated holistic approaches rather than consideration of topics in separate "silos."

Ms. Rasmussen noted the value that planning staff had received from examining new and different ways of approaching comprehensive planning. APA has published *Sustaining Places: Best Practices for Comprehensive Plans* which organizes planning into six principles and two processes and is available on their website. The principles include livable built environment, harmony with nature, resilient economy, interwoven equity, a healthy community, and responsible regionalism. The processes include public participation and integrated objectives. In her opinion, Ms. Rasmussen stated that before developing a Charge and staffing a committee, there should be a fall event open to all town board and committees as well as the public. The 2005 LRP recommendations can be reviewed, there can be discussion regarding sustainability goals, and committees can discuss what the goals mean to their committees. From that event the Charge and staffing can begin.

Residential Restriction

LRP

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Discussion included: the comprehensive framework for planning is a topic that arose in the White Pond discussions; there are different techniques, technologies, and governance recommendations now; Concord has a bottom-up approach to governance generally so this is wise; knowledgeable leadership can provide guidance; planning must be tied to what resources -- fiscal, personnel, and natural resources -- we have available; all boards working together can provide the necessary cross-fertilization to include different perspectives on the range of topics; the educational piece about sustainability is crucial; it is likely that the fall meeting will be facilitated; it may be a Saturday morning or a long evening meeting; the topic could be introduced at a Chair Breakfast meeting to generate interest; the six principles simplify but integrate all the Town values; the budget for the Long Range Plan includes a \$60,000 appropriation from 2015 Town Meeting and there will be \$40,000 requested next year; timing for the new LRP includes a late September kick-off meeting of all boards and public followed by developing a Charge and staffing the committee in October; the committee would be a core of five leadership members and others to address specific topics; funding would include hiring professional consulting support to generate a report in 12-18 months; staff are able to support the effort; there is no particular outcome required by the State; Concord is a Green Community which will affect standards; this will be a time consuming and laborious process.

There was consensus that the goal should be to complete the process in 12-18 months in order to be most useful. It sounds like the process is organized appropriately, the resources are available, and the talent in residents and staff exists to accomplish the goal. Ms. Rasmussen agreed to generate a draft of the committee Charge.

AMEND REGIONAL HOUSING SERVICE OFFICE MOA

Mr. Whelan summarized the background to the request to amend the Regional Housing Services Office memorandum of agreement. It would add the town of Burlington to the agreement. Earlier Burlington was added as a fee-for-service participant. This would make them a full member. There has been no change in service level to the current members.

Upon a motion duly made and seconded, the Board UNANIMOUSLY

VOTED: to approve the proposed amendment to the Regional Housing Services Office MOA.

CORRIDOR ADVISORY COMMITTEE

The Route 2 Corridor Advisory Committee was instituted in 1994 to provide an opportunity for Acton, Concord, and Lincoln to work together with MA Highway and Central Transportation staff to advocate for their common interests regarding Route 2. These would include such matters as safety improvements and traffic movement. A primary sense of CAC has been that each town determines its own priorities and no town will take action that contradicts another town's local priorities.

At an earlier meeting the Board discussed where the Prison Rotary fits into the MADOT Long Range Plan. The primary reason to reconvene the Corridor Advisory Committee is to advance the Rotary design. In the absence of a plan to fund the outer years of the Long Range Plan, is there a point? Mr. Whelan stated that it makes sense to talk with neighboring communities about where Route 2 generally and the Rotary in particular fits into local priorities. It was the consensus of the Board to authorize the Chair to contact her peers in Acton and Lincoln to determine their interest in reconstituting the CAC.

2015-16 BOARD GOALS

RHSO

CAC

Board Goals

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Ms. Kaufman noted that the Board has reviewed the 2014-2015 Board goals in preparation to discuss the formation of new goals. Some goals have been completely implemented and are in place; still more are in progress and need further attention. Each member is encouraged to consult with their liaison committees for additional ideas and send their thoughts to the Chair who will compile a draft for discussion. It was the consensus of the Board that overall it was a very good year for implementing goals. There was a suggestion to hold a Board Goal Workshop to devote an extended time to review and development of principles and specifics.

ADMINISTRATIVE POLICY AND PROCEDURE #10 AND REMOTE PARTICIPATION

The Board discussed whether an amendment might be needed for the Remote Participation Policy. Ms. Reiss noted four issues that she volunteered to address in an amendment: quorum, required notice, number who may participate remotely; and executive session. The process to amend a Board policy involves revising, circulating the changes for comment, and voting whether to make the change. Ms. Reiss will also review APP #10 to determine whether changes are needed there as well.

APP

COMMITTEE LIAISON REPORTS

Mr. Lawson stated that the Audit Committee has had its convening meeting. He attended the Hanscom Community partners meeting at which base/ Air Force/ and towns' issues were discussed. He attended meetings of the Library Committee and the Municipal Light Board. He has worked on the board-training curriculum and it is nearly ready for a Saturday event for all Boards and Committees, perhaps at the high school.

Liaison Reports

Mr. Ng attended a meeting of the Youth Coordinator Advisory Board and learned of many events planned for the fall. The Recreation Commission is prioritizing goals of the facility plan, and preparing for summer camp where interest has been strong.

Ms. Hotchkiss stated that the Planning Board reviewed the plans for renovations to Middlesex School, Concord Academy, and a PRD on Cambridge Turnpike. She noted that the Alternate Fuel Buses Committee has convened in a lively meeting that set the process to go forward and focused on concrete goals.

Ms. Reiss stated that the Minuteman High School Building Committee voted nearly unanimously (1 NO) to recommend an all new construction proposal to the Minuteman School Committee as the preferred design. It was confirmed that the funding requirement includes demolition of the old building and building new athletic fields and is still less than the cost of a renovation. This matter will be on the 2016 Town Meeting Warrant of all 16 towns in the school district. As a unanimously vote is required, it could also go to a district-wide election. Ms. Reiss attended the CCTV meeting and enjoyed the introduction to the new facility. The Board discussed the contract with the Town, the budget, and reports on programming. CCTV will hire a consultant to assist planning for provision of programming in the era of social media. Ms. Reiss stated that the Disability Committee is off to a great start. They have been contacted regarding protocols for development and have discovered that their professional credentials can be abused by the sheer amount of assistance sought.

Ms. Kaufman attended a meeting of the Comprehensive Sustainable Energy Committee at which Jan Aceti gave a presentation on the Town's energy efficiency goals. Ms. Kaufman noted that Natural Resources Director Delia Kaye has identified a grant source that could be used for White Pond bank stabilization and trails. The board will be asked for a letter of support.

MISCELLANEOUS/CORRESPONDENCE

Upon a motion duly made and seconded, the Board UNANIMOUSLY

VOTED: to authorize the Chair to sign and transmit correspondence to Representative Cory Atkins seeking home rule legislation regarding the Town Charter as approved by 2015 Town Meeting substantially as drafted.

Misc./Correspond.

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TOWN MANAGER ADMINISTRATIVE APPOINTMENTS

Upon a motion duly made and seconded, the Board UNANIMOUSLY

VOTED: to confirm the Town Manager's Administrative Appointments of Anthony T. Logalbo, Town Treasurer/Town Collector, Patricia A. Robertson, Deputy Treasurer/ Collector, Anita S. Tekle, Town Clerk, and William Lahey of Anderson & Krieger, Town Counsel, all terms to expire on May 31, 2016.

TM Admin Appt.

TOWN MANAGER APPOINTMENTS AND REAPPOINTMENTS

Upon a motion duly made and seconded, the Board UNANIMOUSLY

VOTED: to confirm the Town Manager's appointments and reappointments of Bradley Hubbard-Nelson of 221 Nashawtuc Rd and Ann Moore of 949 Main St to the Comprehensive Sustainable Energy Committee for terms to expire 5/31/18; Judith Zaunbrecher of 402 Border Rd to the Natural Resources Commission for a term to expire 5/31/18; Electa Tritsch of 233 Heath's Bridge Rd to the Historical Commission for a term to expire 5/31/18; Cynthia Rainey of 80 Hunter's Ridge Rd. and Jim Sommer of 15 Pine St. to the Board of Assessors for terms to expire 5/31/18; Gilda Gusin of 149 Nashoba Rd to the Comprehensive Sustainable Energy Committee, for a term to expire 5/31/18; Jeffrey Adams of 142 Farmer's Cliff Rd to the Natural Resources Commission for a term to expire 5/31/18

Town Manager
Appointments

COMMITTEE NOMINATIONS

Mr. Ng nominated Elizabeth Akehurst-Moore of 86 Holden Wood Rd to the Zoning Board of Appeals as an Associate Member for a term to expire 5/31/18.

Nominations

COMMITTEE APPOINTMENTS/REAPPOINTMENTS

Upon a Motion duly made and Seconded, the Board UNANIMOUSLY

VOTED: Paul LoVecchio of 20 Winslow St. to Hugh Cargill Trust Committee for a term to expire 5/31/18; Elise Woodward of 379 Garfield Rd. to Concord-Carlisle School Building Committee to the conclusion of the project; Terry Rothermel of 330 Musketaquid Rd to the Tax Relief Committee for a term to expire May 31, 2017; Helena Long of 55 Potter St. to the Tax Relief Committee for a term to expire 5/31/18; Carl Vause of 140 Hawthorne Lane and Mav Pardee of 87 Stow St. to the Library Committee for terms to expire 5/31/18.

Appt./Re-appt.

ADJOURNMENT

On a motion duly made and seconded, it was:

VOTED: To adjourn the Open Session and to conclude business for the evening.

Alice Kaufman	Aye
Jane Hotchkiss	Aye
Michael Lawson	Aye
Steven Ng	Aye
Carmin C. Reiss	Aye

Adjourn

The meeting adjourned at 10 p.m.

Respectfully submitted,

Michael Lawson, Clerk